NOTICE OF PREPARATION
of an
ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT
for the
MOUNTAIN VIEW IV WIND ENERGY PROJECT

DATE: **April 28, 2006**

TO: Interested Agencies and Individuals

FROM : City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92260

Bureau of Land Management
Palm Springs-South Coast Resource Area
690 West Garnet Avenue
North Palm Springs, CA 92258

PROJECT TITLE: Mountain View IV Wind Energy Project

The City of Palm Springs (City) and the Bureau of Land Management (BLM) have agreed to prepare jointly an EIR/EIS to serve the requirements of CEQA and NEPA. The EIR/EIS prepared for the project will address issues raised during initial environmental review (see attachments) and during public scoping. It will be prepared in accordance with the CEQA statute, Public Resources Code Section 21000 *et* seq., State CEQA Guidelines, Title 14, California Code of Regulations Section 15000 *et* seq. as amended and Parts 1502 and 1503 of the NEPA Regulations for Implementing the Procedural Provisions of NEPA.

This EIR/EIS is intended to inform decision-makers, other responsible or interested agencies, and the general public of the potential environmental effects of the proposed project. The EIR/EIS will enable governmental agencies and the public to evaluate the proposed project in terms of its environmental consequences, to examine and implement methods of eliminating or reducing any adverse impacts, and to consider project alternatives. In arriving at a decision whether to proceed with the proposed project or an alternative to the project, the BLM and the City will consider the potential environmental impacts and alternatives discussed in the EIR/EIS, as well as public input issues.

PROJECT DESCRIPTION AND LOCATION:

The project is located within Sections 27 and 28, in the City of Palm Springs, Township 3 South, Range 4 East, San Bernardino Base Meridian (SBBM), as shown on the USGS 7.5' Palm Springs Quadrangle

(Figure 1). Locally, the site is east of Indian Canyon Drive and south of Interstate 10 (Figure 2).

The proposed wind generation project consists of either 58 Gamesa G52 or 49 MHI 1000A wind turbine generators ("WTG's"), pad-mounted electric transformers, ancillary facilities, gravel roads, underground interconnection lines, and an off-site electrical substation. The total electrical capacity would be either 49 megawatts (MW) under Alternative A (using MHI 1000A turbines) or 49.3 MW using Alternative B (using Gamesa G52 turbines). The Mountain View IV project would be built on public lands in Section 28, under the jurisdiction of the U.S. Department of the Interior, Bureau of Land Management (BLM) along with private land (owned by Coachella Valley Water District) in Section 27, contiguous on the eastern boundary. Both parcels are within the incorporated limits of the City of Palm Springs. The BLM portion of the project is proposed to include between 21 and 24 wind turbine generators rated at 850 to 1,500 kW (kilowatts) each, for a total of between 20.4 and 21.0 MW capacity. The portion of the project within Section 28 requires a right-of-way grant from BLM to remove old wind generation facilities and foundations, and construct and operate a new wind energy generation facility. The CVWD portion of the project is subject to a Conditional Use Permit (CUP) through the City of Palm Springs and would include between 28 and 34 wind turbines in Section 27 with up to 28.0 MW in rated capacity. The total installed capacity of the public and private land would not exceed 50.0 MW.

Interconnection of the project is proposed to be from a point east of the northwestern corner of Section 27, proceeding north along an existing north-south overhead pole line west of the half section line of Section 22 and continuing overhead across the Union Pacific Railroad to the east line of the west half of Section 22. At this point a 34.5 kV to 115 kV substation is proposed that steps the voltage up for connection into the existing Garnet-Renwind-Cabazon-Banning 115kV line owned by Southern California Edison.

GENERAL PLAN DESIGNATION: Watercourse (City of Palm Springs)

ZONING: Watercourse (City of Palm Springs)

ENVIRONMENTAL EFFECTS:

Based on the Environmental Assessment and Initial Study/Environmental Checklist (see attached), it has been determined that the proposed project may have a number of potentially significant environmental effects. Therefore, an EIR/EIS will be prepared to fully analyze the existing environmental setting, the potential impacts resulting from project implementation, and potential mitigation measures, if necessary, in the following areas: *Aesthetics/Visual Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards, Hydrology/Water Quality, Land Use,* and *Noise.* The Environmental Assessment and Initial Study Checklist provide a description of the environmental effects to be addressed in the EIR/EIS as well as other issues to be discussed as required by CEQA and NEPA guidelines.

MANDATORY DISCUSSION:

In addition to the aforementioned issues, CEQA requires the following areas be addressed in an EIR: Growth Inducement, Significant Irreversible Changes, and Cumulative Impacts. CEQA and NEPA both require a discussion of Alternatives to the proposed action.

Alternatives

Section 15126.6 of the State CEQA Guidelines requires a discussion of "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. The evaluation in the EIR/EIS will consider the ability of the alternatives to achieve project objectives, technical and economic feasibility, compatibility with public concerns, and ability to reduce identified significant environmental impacts. The CEQA-required No Project Alternative will be included in the analysis. An alternative location to the project site is not likely to be considered since the lands that meet the criteria for wind energy development are relatively limited to those areas in the San Gorgonio Pass which are available and not currently developed with wind energy projects or other uses. Additional feasible alternatives that meet project objectives and would avoid significant environmental effects of the project will be developed during the course of preparing the EIR/EIS.

AGENCY RESPONSE:

Due to the time limits mandated by state law, your response must be sent at the earliest possible date, but no later than 30 days after receipt of this notice. Please send your written responses, including the name of a contact person, to:

Mr. Craig A. Ewing, AICP, Director of Planning Services
City of Palm Springs
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Signature: _____ Date: _____

Craig A. Ewing, AICP
Title: Director of Planning Services
Telephone: (760) 323-8245
Fax: (760) 322-8360
E-mail: craige@ci.palm-springs.ca.us

Attachments: Environmental Assessment/Initial Study
CEQA Environmental Checklist

CITY OF PALM SPRINGS
DEPARTMENT OF PLANNING AND ZONING

INITIAL STUDY

1. **Project title**: Mountain View IV Wind Energy Project

2. **Lead agency name and address**:

   City of Palm Springs
   3200 E. Tahquitz Canyon Way
   Palm Springs, CA 92262

3. **Contact person and phone number**:

   Craig A. Ewing, AICP, Dir. of Planning Services
   Tel: (760) 323-8245

4. **Project location**:

   Sections 27 and 28, City of Palm Springs, Township 3 South, Range 4 East, SBBM, as shown on the USGS 7.5' Palm Springs Quadrangle (Figure 1). Locally, the site is east of Indian Canyon Drive and south of Interstate 10 (Figure 2).

5. **Project sponsor's name and address**:

   AES SeaWest
   Michael Azeka,
   4542 Ruffner Street, Suite 200
   San Diego, CA 92111-2239

6. **Description of project**:

The proposed wind generation project consists of either 58 Gamesa Eolica 850 kW or 49 Mitsubishi Heavy Industries (MHI) 1,000 kW wind turbine generators (WTG), pad-mounted electric transformers, ancillary facilities, gravel roads, underground and overhead interconnection lines, and an off-site electrical substation. The total electrical capacity would be either 49 megawatts (MW) under Alternative A (using MHI 1,000 kW turbines) or 49.3 MW using Alternative B (using Gamesa 850 kW turbines). The Mountain View IV project would be built on public lands in Section 28, under the jurisdiction of the U.S. Department of the Interior, Bureau of Land Management (BLM) along with private land (owned by Coachella Valley Water District) in Section 27, contiguous on the eastern boundary. Both parcels are within the incorporated limits of the City of Palm Springs. The BLM portion of the project is proposed to include between 21 and 24 wind turbine generators for a total of between 20.4 and 21.0 MW capacity. The CVWD portion of the project is subject to a Conditional Use Permit (CUP) through the City of Palm Springs and would include between 28 and 34 wind turbines in Section 27 with up to 28.0 MW in rated capacity. The total installed capacity of the public and private land would not exceed 50.0 MW. The portion of the project within Section 28 (BLM) will utilize existing gravel roads from a previous wind energy development to the extent feasible, while new access roads will need to be created in Section 27 (CVWD). Each of the wind turbines will have a 50= by 64= gravel pad, with 4@ to 6@ of gravel over compacted native soil. An existing off-site road in Section 21 crossing private land and an existing road along the southern boundary of Section 22 will provide access to the site. Off-site associated facilities include a communication system, underground 34.5 kV interconnecting electrical lines to the north and a 34.5 kV to 115 kV electrical substation located on private land.

INSERT FIGURE 1; REGIONAL MAP HERE

INSERT FIGURE 2; VICINITY MAP HERE

INSERT FIGURE 3; SITE PLAN A HERE

Figure 4 site plan B

7. **Present Land Use**:

Section 27 is currently vacant, and consists of disturbed desert scrub vegetation and a levee traverses the site in the southwest portion of the section. Section 28 is mostly vacant with some old wind generation facilities and foundations onsite left over from the former Sandburg wind energy facility.

8. **General Plan designation**: Watercourse

9. **Zoning**: Watercourse

Proposed Zoning: Wind energy conversion systems (WECS) are a conditional use in this zone subject to the requirements and standards contained in Section 94.02.00(H)(8) of the Palm Springs Municipal Code.

10.	Is the proposed action a "project" as defined by CEQA? (See Section 2.6 of State CEQA Guidelines. If more than one project is present in the same area, cumulative impact should be considered)	Yes ■ No **9**
11.	If "yes" above, does the project fall into any of the Emergency Projects listed in Section 15269 of the State CEQA Guidelines?	Yes **9** No ■
12.	If "no" on 11., does the project fall under any of the Ministerial Acts listed in Section 15268(b) of the State CEQA Guidelines?	Yes **9** No ■
13.	If "no" on 12., does the project fall under any of the Statutory Exemptions listed in Article 18 of the State CEQA Guidelines?	Yes **9** No ■
14.	If "no" on 13., does the project qualify for one of the Categorical Exemptions listed in Article 19 of the State CEQA Guidelines? (Where there is a reasonable probability that the activity will have a significant effect due to special circumstances, a categorical exemption does not apply).	Yes **9** No ■

15. Surrounding land uses and setting (briefly describe the project's surroundings):

North: Windfarm development

South: Vacant Desert

East: Indian Canyon Drive/Vacant Desert

West: Vacant Desert/Percolation Basin

16. Surrounding General Plan designations:
North: Water
South: Water
East: Conservation
West: Water

Surrounding Zoning designations:
North: Watercourse
South: Watercourse
East: Mixed Use
West: Watercourse

17. Is the proposed project consistent with (if answered "yes" or "n/a", no explanation is required):

City of Palm Springs General Plan	Yes ■ No **9** N/A **9**
Applicable Specific Plan	Yes **9** No **9** N/A ■
City of Palm Springs Zoning Ordinance	Yes ■ No **9** N/A **9**
South Coast Air Quality Management Plan	Yes ■ No **9** N/A **9**
Airport Part 150 Noise Study	Yes ■ No **9** N/A **9**
Draft Section 14 Master Development Plan	Yes ■ No **9** N/A **9**

18. Are any of the following studies required?

Soils Report	Yes ■ No **9**
Slope Study	Yes **9** No ■
Geotechnical Report	Yes ■ No **9**
Traffic Study	Yes **9** No ■
Air Quality Study	Yes **9** No ■
Hydrology	Yes ■ No **9**
Sewer Study	Yes **9** No ■
Biological Study	Yes ■ No **9**
Noise Study	Yes ■ No **9**
Hazardous Materials Study	Yes **9** No ■
Housing Analysis	Yes **9** No ■
Archaeological Report	Yes ■ No **9**
Groundwater Analysis	Yes **9** No ■
Water Quality Report	Yes ■ No **9**
Other	Yes **9** No ■

19. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.) In the State of California, discretionary actions requiring approval by public agencies are required under CEQA to have an assessment of the environmental effects of the proposed actions. In addition to the City of Palm Springs approval and implementation of the project, the following agencies may require agency approvals, compliance with rules, discretionary actions, and/or permits to implement the proposed wind development project: U.S. Department of the Interior, Bureau of Land Management; South Coast Air Quality Management District; Regional Water Quality Control Board, Federal Aviation Administration.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

■	Aesthetics	**9**	Agriculture Resources	**9**	Air Quality
■	Biological Resources	■	Cultural Resources	■	Geology /Soils
■	Hazards & Hazardous Materials	■	Hydrology / Water Quality	■	Land Use / Planning
9	Mineral Resources	■	Noise	**9**	Population / Housing
9	Public Services	**9**	Recreation	**9**	Transportation/Traffic
9	Utilities / Service Systems	■	Mandatory Findings of Significance		

EVALUATION OF ENVIRONMENTAL IMPACTS

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	■	9	9	9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	9	9	■	9
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	■	9	9	9
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	9	9	■	9
2. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	9	9	9	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	9	9	9	■
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	9	9	9	■

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	9	■	9	9
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	9	■	9	9
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	9	■	9	9
d) Expose sensitive receptors to substantial pollutant concentrations?	9	9	■	9
e) Create objectionable odors affecting a substantial number of people?	9	9	■	9
4. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	■	9	9	9
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	9	9	■	9

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	9	9	9	■
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	9	9	■	9
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	9	9	9	■
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	■	9	9	9
5. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	■	9	9	9
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	■	9	9	9
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	■	9	9	9
d) Disturb any human remains, including those interred outside of formal cemeteries?	9	9	■	9
6. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	9	■	9	9

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	9	■	9	9
ii) Strong seismic ground shaking?	9	■	9	9
iii) Seismic-related ground failure, including liquefaction?	9	■	9	9
iv) Landslides?	9	9	9	■
b) Result in substantial soil erosion or the loss of topsoil?	9	■	9	9
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	9	9	■	9
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	9	9	■	9
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	9	9	9	■
7. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	9	9	■	9
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	9	9	■	9

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	9	9	■	9
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	9	9	■	9
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	■	9	9	9
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	9	9	9	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	9	9	■	9
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	9	9	■	9
8. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	9	■	9	9

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	9	9	■	9
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	9	9	■	9
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	9	9	■	9
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	9	9	■	9
f) Otherwise substantially degrade water quality?	9	■	9	9
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	9	9	9	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	■	9	9	9
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	9	9	■	9
j) Inundation by seiche, tsunami, or mudflow?	9	9	9	■
9. LAND USE AND PLANNING - Would the project:				

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	9	9	■	9
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	9	9	■	9
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	■	9	9	9
10. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	9	9	■	9
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	9	9	9	■
11. NOISE – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	■	9	9	9
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	9	9	■	9
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	■	9	9	9
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	■	9	9	9

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	9	9	■	9
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	9	9	9	■
12. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	9	9	9	■
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	9	9	9	■
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	9	9	9	■
13. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	9	9	■	9
Police protection?	9	9	■	9
Schools?	9	9	■	9

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Parks?	9	9	■	9
Other public facilities?	9	9	■	9
14. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	9	9	9	■
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	9	9	9	■
15. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	9	9	■	9
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	9	9	■	9
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	9	9	■	9
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	9	9	■	9
e) Result in inadequate emergency access?	9	9	■	9
f) Result in inadequate parking capacity?	9	9	9	■

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	9	9	9	■
16. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	9	9	9	■
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	9	9	■	9
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	9	9	■	9
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	9	9	■	9
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	9	9	9	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	9	9	■	9
g) Comply with federal, state, and local statutes and regulations related to solid waste?	9	9	9	■

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
17. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	■	9	9	9
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	■	9	9	9
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	■	9	9	9

LISTED BELOW ARE THE PERSON(S) WHO PREPARED OR PARTICIPATED IN THE PREPARATION OF THE INITIAL STUDY:

Craig A. Ewing, AICP, Director of Planning Services, City of Palm Springs
Jon Berg; Environmental Planning Manager, Dudek Engineering & Environmental.
David Merriman, Project Planner, Dudek Engineering & Environmental.

DETERMINATION

On the basis of this initial evaluation:

9 I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

9 I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

■ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

9 I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

9 I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Craig A. Ewing, AICP Date
Director of Planning Services

The following provides a discussion of the environmental impacts that are anticipated to occur as a result of constructing the proposed wind energy development. This section provides a brief explanation for the answers provided in the Initial Study/Environmental Checklist. All of the issues which were determined to have a "potentially significant impact" will be analyzed in the EIR/EIS. No determinations have yet been made as to the significance of these potential impacts; such determinations will be made in the EIR after the issues are considered thoroughly. The EIR/EIS will present existing conditions, impacts, and mitigation, as appropriate for these issues. The issues which were determined to be "less than significant with mitigation incorporated" will have mitigation measures incorporated into the project to reduce impacts to below a level of significance. These mitigation measures will be incorporated into the Mitigation Monitoring Program to be developed for the project. All of the issues determined to be "less than significant" or "no impact" are discussed briefly below.

1. AESTHETICS

a) Would the project have a substantial adverse effect on a scenic vista?

Potentially significant impact. The Environmental Resources Element of the General Plan designates Indian Canyon Drive east of the site and State Highway 111 south of the site as scenic corridors. Section 94.02.00(H)(8) of the Palm Springs Municipal Code sets scenic setbacks for commercial wind developments at 500 feet from Indian Avenue and 2/3 mile from Highway 111. As shown on the project site plan (Figure 3), the project is consistent with both of these setback requirements. The project is also expected to be consistent with the design and site plan review requirement since such review is part of the City approval process for the project. However, as potential aesthetic impacts of wind energy projects have been a primary concern regarding obstructions of scenic vistas or views open to the public, including views of surrounding mountains, such impacts will be addressed further in the EIR/EIS.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than significant impact. As discussed in the previous response, the project site is in the vicinity of two scenic highways. However, there are no scenic resources such as trees, rock outcroppings or historic buildings that would be affected by the proposed project.

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

Potentially significant impact. The San Gorgonio Pass serves as the primary gateway into the Valley from areas to the west. The Pass area has been developing with wind turbine projects since the early 1980's with thousands of active wind turbines now in existence between Cabazon and North Palm Springs. Residents in this area have in the past expressed concern regarding obstructions of scenic vistas or views open to the public, including views of surrounding mountains. Although, the proposed project will be a continuation of windfarm development in the San Gorgonio Pass, due to potential visual concerns, a series of visual simulations will be prepared for the EIR/EIS which depict before and after conditions of the proposed windfarm project. A complete discussion of potential visual impacts upon surrounding areas will be included.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than significant impact. The WECS development will not bring increased light and glare because the project proposes no outdoor lighting with the exception of navigational warning lights which may be required by FAA. Actual lighting requirements for this project will be determined by the FAA. In general, FAA lighting does not produce substantial glare or light spillage and is visible at night as a pulsing red or white light. The project proposes no large glass or other surfaces which would cause reflective glare from sunlight. Therefore, potential impacts with regard to light and glare would be less than significant.

2. AGRICULTURE

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No impact. The project site is currently designated as Watercourse in the Palm Springs Zoning Map. It has most recently been used for a prior wind energy project which was utilized for about 15 years. It is not currently, nor is it known to have been used historically for agriculture. The project site is not identified in the State of California Department of Conservation, Division of Land Resource Protection "1998 Important Farmland Map" as Prime or Unique Farmland, or Farmland of Statewide importance.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No impact. The project site is not zoned for agriculture or part of a Williamson Act contract.

c) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

No impact. There are no agricultural uses occurring onsite or in the nearby vicinity.

3. AIR QUALITY

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than significant impact with mitigation incorporated. The project is not expected to significantly affect air quality as defined by the Air Quality Element of the City's General Plan, and is not expected to exceed threshold criteria of the South Coast Air Quality Management District Air Quality Handbook, 1993. The eastern desert areas of Riverside County are generally non-attainment areas with regard to PM10. The project will create some dust and blowsand during construction and maintenance activities, including the use of gravel based drives and internal roadways. Construction and operation of the project would not result in a significant dust or blowsand source due to applied mitigation, including implementation of the project's Dust Control Plan (PM-10 Plan, to be submitted in accordance with the applicable City and SCAQMD

standards and codes prior to the issuance of any grading or building permits), the application of 4" to 6" of gravel over compacted native material on internal access roads, and 20 mph speed limits within the project boundaries to be included as conditions of approval or part of project design.

b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less than significant impact with mitigation incorporated. See response 3a.

c) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less than significant impact with mitigation incorporated. The City and the entire Coachella Valley are in non-attainment for PM10 (particulate matter less than or equal to 10 microns in size). The City is involved in the regional management of air quality through the cooperative implementation of the Coachella Valley PM10 Plan. This plan has been jointly developed by the SCAQMD, Coachella Valley Association of Governments (CVAG) and its member cities and has been approved by the U.S. Environmental Protection Agency (EPA). The implementation programs outlined by the regional PM10 Plan as well as applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, commit the City to mitigation that would reduce construction-related and operational air quality impacts by suppressing particulate matter 10 microns and below, which is largely achieved through site watering to reduce airborne dust. The developer will be required to submit a dust control plan (PM10 Plan) in accordance with the applicable City and SCAQMD standards and codes prior to the issuance of any grading or building permits. Project compliance with the regional and project specific PM10 requirements would reduce potential impacts to a less than significant level.

d) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less than significant impact. The project does not propose any uses that will produce substantial pollutant emissions. Therefore, impacts to sensitive receptors would be less than significant

e) Would the project create objectionable odors affecting a substantial number of people?

Less than significant impact. Construction activities may produce odors associated with diesel engines and paving operations. However, the nearest residences would be approximately 3,000 feet to the south of construction activity and any odors would not be significant at this distance. Long term operation of the project would not result in the creation of objectionable odors. Therefore, this issue would be less than significant.

4. BIOLOGICAL RESOURCES

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in

local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

Potentially significant impact. Construction and operation of the proposed project may result in impacts to sensitive plant and animal life including but not limited to endangered, threatened, or rare species and/or their habitat. The project site is within the Whitewater Floodplain Conservation Area designated under the Draft Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). This area may provide habitat for a variety of sensitive species including the Coachella Valley milkvetch, triple-ribbed milkvetch, desert tortoise, Palm Springs ground squirrel, flat-tailed horned lizard, Le Conte's thrasher, burrowing owl, and fringe-toed lizard. Consequently, project development has the potential to result in a significant impact on these species if they are resident onsite. Therefore, the EIR/EIS will address project impacts to biological resources and compliance with the CVMSHCP.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?

Less than significant impact. The project site is not known to contain any riparian habitat or other sensitive natural communities such as wetlands, marshes, or vernal pools, and no impacts to these habitats is expected to occur. However, a complete biological survey and analysis will be prepared in support of the EIR/EIS, which will identify any riparian habitat or sensitive natural communities onsite, and offer appropriate mitigation if necessary.

c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No impact. The site is within the 100-year flood plain of the Whitewater River. However, there are no frequent flows on the site. With the exception of local drainages which only contain surface flow during moderate to strong rainstorms, no stream occurs within the sites. Road crossings of local drainages will be at-grade, and no culverts, drainage structures or local stream diversions are required. Therefore, the project will not result in any constriction, diversion or have a significant control or structural impact on any stream or body of water.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than significant impact. The project is not expected to result in any significant impacts to any wildlife species. A biological survey and report prepared for the EIR/EIS will confirm this and provide mitigation as necessary.

e) Would the project conflict with any local policies or ordinance protecting biological resources, such as a tree preservation policy or ordinance?

No impact. The City's General Plan EIR does not identify any important biological resources onsite which are protected by local policies and/or ordinance. See response 4b.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Potentially Significant impact. The project site is within the Whitewater Floodplain Conservation Area in the Draft Coachella Valley Multi Species Habitat Conservation Plan (CVMSHCP). Although the project is not expected to conflict with this plan given the limited overall site disturbance, consistency with the CVMSHCP and the Conservation Area will be evaluated in the EIR/EIS and mitigation will be implemented as mandated by the approved plan.

5. CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Potentially significant impact. Part of the project site (Section 28) has most recently been used for a wind energy project, since discontinued, and the entire site is within the floodplain area of the Whitewater River. Due to previous site disturbance and past flooding of the project area, there is not a high probability of finding any historical resources onsite. However, the potential for significant historic resources to be impacted by the project will be evaluated in the EIR/EIS. A qualified historian will field record any artifacts, features, sites or structures greater than 50 years of age as well as conduct historical background research on the basis of early maps.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Potentially significant impact. The project site is identified in the City's General Plan EIR (Figure 5.13) as an area not likely to contain prehistoric archaeological resources. However, because portions of the project site have not been evaluated for such resources, a field survey will be conducted by a qualified archaeologist, and the findings and recommendations will be addressed in the EIR/EIS. Additionally, the consultant will conduct a sacred lands record search and communicate with local Native American representatives per requirements of California Senate Bill 18.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact. The project area is likely to contain recent alluvial deposits from the Whitewater River which have low potential for paleontological resources. However, older subsurface deposits may contain significant fossil resources. Therefore, a qualified paleontologist will conduct paleontological resources records searches, and conduct a field survey of the project area. The subsequent report will identify all potential fossil-bearing soils and paleontological resources within the project area, if any, discussing their significance, and recommending subsequent courses of action regarding such resources, if necessary. These findings will be incorporated into the EIR/EIS.

d) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less than significant impact. The project site is not in an area known to contain human remains (see response 5b). However, as a standard construction practice, should any human remains be encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur in the immediate area until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. Adherence to this standard construction practice will ensure that no impacts to human remains would occur.

6. GEOLOGY AND SOILS

a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

Less than significant impact with mitigation incorporated. The project would be located in an area that would expose structures to potential substantial adverse effects involving strong seismic ground shaking, fault rupture, and seismic-related ground failure, but is not in an area that is susceptible to seismic induced landslides. The project site does not lie within an Alquist-Priolo Earthquake Fault Zone, but is in proximity to several known fault systems. Because of the proximity to these faults, the area is subject to fault rupture. Since wind turbines are non occupancy structures, the most probable effect of a hypothetical fault rupture across the wind turbine foundations would be damage to the wind turbine and foundation, resulting in economic loss for the project operator. However, as part of the final engineering design for the project and prior to construction, soils and geologic conditions will be mapped and analyzed for the study area. No slopes exist or will be created adjacent to any project improvements and consequently no risk of landslides will exist. Locales with geologic conditions prone to hazards will be identified and appropriate measures will be incorporated into final project design if necessary. Construction methods and facility design will be tailored to avoid any geologic concerns. A complete discussion of geotechnical issues will be included in the EIR/EIS.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less than significant impact with mitigation incorporated. The project would involve minor grading where new access roads are needed and for construction of wind turbine pads. Short-term erosion effects during the construction phase of the project would be prevented through implementation of a Storm Water Pollution Prevention Plan (SWPPP), which is required in

accordance with the Countywide National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit. The SWPPP includes standard construction methods such as sandbags, silt fencing, and temporary detention basins to control on-site and off-site erosion. Therefore, the project is not anticipated to result in a substantial loss of topsoil or soil erosion.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in, on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than significant impact. Potential hazards from slope instability, landslides and debris flows are considered negligible at the subject property, as the site contains gentle sloping topography and is not located adjacent to any hillsides or elevated slopes. The project proposes no major manufactured slopes. Additionally, the Palm Springs General Plan indicates that the majority of the City including the project area has very low potential for liquefaction due to relatively deep ground water (at least 100 feet or more in most areas). Therefore, slope instability issues are considered less than significant.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks of life or property?

Less than significant impact. The Palm Springs General Plan states that soils within the project area are not expected to have significant expansive potential. Although this is not considered a significant issue, the potential for expansive soils to occur as well as soil suitability for the proposed construction will be evaluated as part of the geotechnical investigation and the findings incorporated into the EIR/EIS.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal or wastewater?

No impact. The project will not be connected to any sewer system, and does not require the use of septic tanks or alternative wastewater disposal systems.

7. HAZARDS AND HAZARDOUS MATERIALS

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than significant impact. The nature of the project is such that no substantial quantities of materials classified as hazardous will be stored or used on the site. Small quantities of petroleum products which are not classified as hazardous, including gear box oil and hydraulic fluids, contained within the turbine and used for operation/maintenance of turbines and transformers may be stored within the project site. Electrical transformers, which are located next to each turbine, are equipped with containment structures capable of retaining oil in the transformer in the event of a leak or spill. All production, use, storage, transport, and disposal of hazardous materials as a result of this project will be in strict accordance with federal, state, and local government regulations and guidelines. No extremely hazardous materials (300 substances as

defined in *Title 40, Code of Federal Regulations* by the U.S. Environmental Protection Agency) are presently anticipated to be produced, used, stored, or disposed of as a result of this project.

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than significant impact. In the past, WECS projects have posed certain hazards to human safety associated with equipment failure, such as tower collapse during seismic events and/or blade throw. However, modern turbine designs have significantly reduced these potentials. The project would implement the latest in modern wind turbine technology, which includes a safety system ensuring that the wind turbine is shut down immediately at the onset of mechanical disorders, and turbine towers which incorporate structural elements capable of withstanding large seismic events, high winds and flooding. In addition, since the project incorporates the City's mandatory safety setbacks, potential hazards associated with tower collapse and blade throw are not considered significant.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less than significant impact. The project will create some dust and blowsand during construction and maintenance activities, including the use of gravel based drives and internal roadways. However, these are not considered hazardous emissions and will be limited through the project's Dust Control Plan. The project does not propose any long term uses which would result in creation of hazardous emissions and there are no existing or proposed schools within a 1/4 mile of the subject property.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less than significant impact. The project is not known to be on a list of hazardous materials sites and since wind turbines are non-habitable, non-occupancy structures, any unknown hazardous materials that may be located on the project site would not represent a significant hazard to the public or the environment.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Potentially significant impact. The project site is not within an airport influence area boundary and not otherwise affected by airport land use issues. However, the Palm Springs International Airport exists approximately 5 miles to the southeast and the project will require an Aeronautical Study from the FAA, to determine any safety hazards. The findings of this study will be incorporated into the EIR/EIS.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No impact. There are no private airstrips in the vicinity of the project site.

g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than significant impact. The proposed will not involve any occupied structures and would therefore, not be subject to the City's Emergency Response or Evacuation plans and would not otherwise interfere with such plans.

h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Less than significant impact. The project site is not located within a High Fire Area identified by City of Palm Springs Ordinance No. 546. Although the site is only sparsely vegetated, development of the project site will decrease the risk of wildfire by marginally reducing the amount of fuel (vegetation which is flammable) and improving access to the project site.

8. HYDROLOGY AND WATER QUALITY

a) Would the project violate any water quality standards or waste discharge requirements?

Less than significant impact with mitigation incorporated. During construction grading, there is the potential for some short-term erosion to occur and discharge of pollutants, especially during times of inclement weather. These short-term indirect impacts are considered to be potentially significant and mitigation, in the form of site-specific best management practices (BMPs), are recommended. Coordination with the Regional Water Quality Control Board and preparation of Storm Water Pollution Prevention Plan (SWPPP) would be required. The SWPPP would specify the appropriate BMPs to be employed. The EIR/EIS will further discuss hydrology and water quality issues with specific mitigation requirements.

b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of a local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less than significant impact. The project consists of construction of a wind energy generation facility, and as such does not propose any uses which would draw down groundwater supplies. The project would replace natural surfaces with impervious surfaces consisting of concrete wind turbine and transformer foundations, resulting in a slight change to local drainage patterns, absorption rates, and the rate/amount of runoff. However, roads will be at-grade gravel roads that are permeable, so added impervious cover will affect a very small portion of the total project area, allowing continued infiltration and conveyance of storm waters over a majority of the site.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or offsite?

Less than significant impact. The site is within the 100-year flood plain of the Whitewater River. However, there are no frequent flows on the site. With the exception of local drainages which only contain surface flow during moderate to strong rainstorms, no stream occurs within the sites. Road crossings of local drainages are anticipated to be at-grade, and no culverts, drainage structures or local stream diversions are required. Although it is anticipated that the project will not result in any constriction, diversion or have a significant control or structural impact on any stream or body of water, a hydrology report will be prepared for the project and included as part of the EIR/EIS.

d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite?

Less than significant impact. The project is not anticipated to involve alterations to an existing stream or river, but will be evaluated in the EIR/EIS. See response 8c.

e) Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than significant impact. The project will result in minor increases of impervious surfaces due to construction of wind turbine and transformer foundations. As discussed in Response 8b, these foundations will be dispersed throughout the project area and are not expected to result in a significant change to the runoff rate in the area. However, potential hydrologic impacts will be further discussed in the EIR/EIS.

f) Would the project otherwise degrade water quality?

Less than significant impact with mitigation incorporated. It is not anticipated that construction or operation of the project would degrade water quality. However, pursuant to General Plan policies, the construction/operational activities associated with the proposed project must meet the requirements and procedures of the National Pollution Discharge Elimination System (NPDES) General Permit. Project adherence to the Best Management Practices (BMPs) required by this permit will serve to reduce the potential water quality impacts to a less than significant level.

g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?

No impact. No housing is proposed by the project.

h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Potentially significant impact. According to review of the applicable Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps, both sections which make up the project site (27 and 28) are within flood Zone A, which identifies areas susceptible to flood related hazards during a 100-year storm event. Therefore, development of the site could result in a potential flood hazard to onsite structures which could impede or redirect flood flows. The EIR/EIS will evaluate potential flood related impacts associated with the project.

i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Less than significant impact. There is an existing levee located in a portion of Section 27 designed to protect residences to the south from floodwaters associated with the Whitewater River. However, the project would not place people or habitable structures within the path of floodwaters associated with a levee failure or breach.

j) Would the project be susceptible to inundation by seiche, tsunami, or mudflow?

No impact. Hydrologic and topographic conditions of the project site and surrounding area do not lend themselves to these conditions. The proposed project is not near any water body that would potentially be affected by a seiche, tsunami, or mudflow. It is not anticipated that the proposed project would be susceptible to any of the above stated natural phenomena.

9. LAND USE AND PLANNING

a) Would the project physically divide an established community?

Less than significant impact. The project site consists of vacant desert lands and a levee in Section 27, and non-operational wind generation facilities and associated gravel roads in Section 28. There are no established communities or residences within any portion of the project site. However, the project's potential effects on surrounding land uses, including residences to the south will be evaluated under the appropriate environmental topic in the EIR/EIS.

b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less than significant impact. The proposed development is located on property that is currently zoned Watercourse on the Palm Springs Zoning Map. The zoning classification permits the types of land uses that are proposed, subject to a Conditional Use Permit and the requirements of Section 94.02.00(H)(8) of the Palm Springs Municipal Code regulating Commercial Wind Energy Conversion Systems (WECS).

Section 28, in addition to being subject to the above regulations for the City of Palm Springs is also subject to the requirements of the U.S. Department of the Interior, Bureau of Land Management (BLM). The National Environmental Policy Act of 1969 (NEPA) requires federal agencies to follow a particular process when making land use decisions including preparation of

an Environmental Impact Statement (EIS) if warranted. The lead agencies have determined that a combined EIR/EIS be prepared for the proposed project. A detailed discussion of all applicable land use policies will be contained therein.

c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

Potentially Significant impact. As discussed above under Response 4f, the project site is within the Whitewater Floodplain Conservation Area in the Draft Coachella Valley Multi Species Habitat Conservation Plan (CVMSHCP). Although the project is not expected to conflict with this plan given the limited overall site disturbance, consistency with the CVMSHCP and the Conservation Area will be evaluated in the EIR/EIS and appropriate mitigation will be implemented as necessary.

10. MINERAL RESOURCES

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Less Than Significant Impact. According to Figure 5.4 in the City's General Plan EIR, the project site is located within MRZ-2 mineral resources zone. These are areas where adequate information indicates that significant mineral deposits are present, or there is a high likelihood for their occurrence. Such mineral deposits consist primarily of sand and gravel for aggregate and/or decorative stone purposes. However, the subject property is not designated as containing mineral resources of regional or statewide importance. Generally, windfarms are considered compatible with surface mining activities since they do not result in the development of habitable structures where residents would find mining activities objectionable and they preserve the majority of land in open space.

The construction of wind turbines at these locations would result in some reduction of the area available for surface mining activities. Windfarm development does not preclude the ability for limited future mining on the site as it does not completely cover a site with permanent improvements (e.g. paved streets, utilities, buildings and landscaping characteristic of other kinds of urban development), leaving relatively large areas of unimproved or minimally improved land between the turbines and ancillary facilities. The project will retain approximately 97% of the site as open space (under either development scenario), and would not preclude limited future mining on-site, or significantly reduce the regional aggregate supply. Consequently, while mineral resources exist at the site, they are not designated as essential for filling the production-consumption needs of the region and since the project preserves much of the property in an undeveloped condition, impacts to mineral resources are considered less than significant.

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. See response 10a.

11. NOISE

a) Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Potentially significant impact. The project would generate noise impacts during the construction period as well as during the operation of the project. Two types of noise impacts generally occur during the construction phase. First, the transport of workers and equipment to the construction site can incrementally increase noise levels along the roadways leading to and from the site. However, construction traffic is estimated to generate only about 25 daily trips and is not expected to result in a discernable noise increase. Therefore, noise impacts related to construction traffic will have a less than significant impact. Second, noise would be generated by the actual onsite construction activities and equipment. Acceptable hours of construction are limited pursuant to Section 8.04.220 of the Palm Springs Noise Ordinance (Ord. 1167 §§ 1 (part), 1982). Consistent with the City's policy, no construction activities shall be undertaken between the hours of 7:00 p.m. and 7:00 a.m. during weekdays, and 5:00 p.m. and 8:00 a.m. on Saturday and will not be permitted on Sundays or Holidays.

Although construction related noise levels will be higher than current ambient noise levels in the project area, there are no noise sensitive land uses in the immediate vicinity, and construction would occur within the specified times outlined by the City's Noise Ordinance. Therefore, the associated construction related noise impacts would be considered less than significant.

Operation of the project would generate noise from operation of the wind turbines. The Palm Springs Noise Ordinance establishes a wind energy noise limit of 55 dB at residences and other noise sensitive uses. The nearest noise sensitive uses are new homes and a park, located approximately 3,000 feet south of the project site. An acoustical analysis will be conducted to ensure that the project will comply with Palm Springs Noise Ordinance 11.74.044 at all noise sensitive uses surrounding the project site. The complete report and a summary of findings will be included in the EIR/EIS.

b) Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less than significant impact. Heavy equipment used during the grading and construction period would generate some ground vibration, but this would be a short-term impact which would be removed upon completion of the construction phase. No blasting would be required during grading and construction activities. During operation of the proposed wind turbines, some noise will be associated with the blades and gear boxes. Ground vibrations from these activities are expected to be minimal and would not expose people to excessive groundborne vibration.

c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially significant impact. Long term operation of the proposed wind turbines will result in an increase in noise levels in the surrounding area. This will be evaluated in an acoustical report for the EIR/EIS (see response 11a).

d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially significant impact. (see response 11a).

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less than significant impact. The project site is not located within an airport land use plan or within two miles of any public use airport and would therefore, not be impacted by airport noise.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No impact. The project is not located within the vicinity of a private airstrip. See response 11e.

12. POPULATION AND HOUSING

a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No impact. The project will not directly induce population growth as there is no housing component and would not indirectly increase population since it would not create substantial new employment opportunities. Infrastructure will be limited to maintenance roads and underground and overhead electrical lines to distribute power generated by the project.

b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No impact. No adverse impacts to existing housing stock will occur since the project site is currently vacant and contains no existing residential structures.

c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No impact. See response 12b.

13. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to

maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

i. Fire protection?

Less than significant impact. The proposed project would result in development of additional structures within the City. However, the proposed wind energy generation facility will consist of non-habitable structures with little risk of fire hazards. Prior to construction, vegetation will be cleared where necessary for maintenance roads and foundations for wind turbines. All remaining trash and debris will be removed from the site, further reducing risk of fires at the site. No significant impacts to City fire protection services are anticipated to occur as a result of project implementation. In addition, the project will generate revenue to the City in the form of property taxes which will benefit fire services.

ii. Police protection?

Less than significant impact. Police protection for the project area is provided by the Palm Springs Police Department, located at 200 South Civic Street. The project will develop a wind energy generation facility which is not expected to increase calls for police services. The project will generate additional property tax revenue to the City which will contribute to the funding of police protection.

iii. Schools?

Less than significant impact. The project site is located within the Palm Springs Unified School District (PSUSD). Sources of funding for capital improvements and operations originate with school facilities fees, state funding, and local funding. Pursuant to Section 17625 of the California Education Code, the District is authorized to collect school impact fees from new commercial and industrial construction at the current rate of $.36 per square foot of "chargeable covered and enclosed space" (Government Code Section 65995). Chargeable covered and enclosed space, if any, shall be determined by the City Building Department. Since the project will not result in occupied structures and will not generate substantial new employment opportunities, and thus new student generation, little or no impact to the District would occur.

iv. Parks?

Less than significant impact. Palm Springs determines the number of neighborhood and regional parks on a per capita basis. General Plan policy calls for an increase in the supply of parkland in the City, with an aim of providing a minimum of 5 acres of local recreation land, public and private, for each thousand permanent residents. Additional policy requires that developers contribute to provide parks and recreation facilities to offset the demands of new development. Since there is no housing component associated with the proposed project, and there would not be substantial permanent employment generated, it will not increase the population to a level where any new facilities would be required.

v. Other public facilities?

Less than significant impact. Heavy trucks and other construction related vehicles may impact local streets on a temporary basis. However, long-term traffic associated with the project will consist of occasional maintenance of facilities and is expected to be minimal and would not result in the need for increased maintenance of affected roadway facilities. The project is not anticipated to result in the need for any new or altered governmental facilities.

14. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No impact. As stated above, the project does not involve a housing component or substantial new employment. Therefore, the project would not substantially increase the use of existing neighborhood and regional parks or other recreational facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No impact. No recreational facilities are included or would be required as part of the proposed project.

15. TRANSPORTATION/TRAFFIC

a) Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Less than significant impact. Traffic associated with the proposed project is anticipated to be minor in nature. During construction, approximately 40 total trips per day are expected while during operation of the WECS, an average of about 20 vehicle per day is anticipated, primarily for maintenance purposes. Consequently, the project's incremental contribution on local traffic is so small it is not expected to result in any notable short or long-term change to existing levels of service or other operational or safety characteristics of the local circulation system.

b) Would the project exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?

Less than significant impact. See response 15a.

c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Less than significant impact. The project would not affect air traffic patterns in any way. As a safety precaution, the project proponent has filed a Form 7460-1 determination with the FAA which will review and determine whether lighting is required. Compliance with FAA recommendations will ensure that no safety risks to air traffic would occur. Such recommendations will be included in the project design and discussed in more detail in the EIR/EIS.

d) Would the project substantially increase hazards due to a design feature (e.g., sharp curves of dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than significant impact. The project accessways, parking lots, and design features will be designed in accordance with Section 94.02.00(H)(8) of the Palm Springs Municipal Code which sets the standards for safe operation of wind generation facilities. Compliance with safety standards set by the City in this ordinance will be further detailed in the EIR/EIS.

e) Would the project result in inadequate emergency access?

Less than significant impact. Site access to the site would be from North Indian Canyon Drive by an existing 30' wide gravel road along the southerly section line of Section 22, continuing onto the easterly half of Section 21 along the common property line with Section 28. Internal access will be provided through a common system of gravel covered roads. As there will not be substantial numbers of people on the site during operation, there is not anticipated to be any need for emergency services. However, in the event of an emergency the site will be easily accessible from the above described road system. Any concerns of the Police and Fire departments will be addressed during the review process and included in the EIR/EIS.

f) Would the project result in inadequate parking capacity?

No impact. As noted previously, long term traffic associated with the project would generally consist of one vehicle per day for maintenance. Therefore, no permanent parking spaces are necessary. Vehicles associated with project construction can be parked within the project site adjacent to construction activities.

g) Would the project conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No impact. Implementation of the proposed project would not conflict with adopted policies or involve elimination of facilities supporting alternative transportation such as bus turnouts or bicycle racks.

16. UTILITIES AND SERVICE SYSTEMS

a) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No impact. Since the project does not involve occupied or habitable structures, there will be no need for connection to any wastewater systems.

b) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

Less than significant impact. The project will use some water during project construction to control dust, but there will be no long term use of water associated with the project. As discussed above, there will not be any wastewater generation. Consequently, the project would not affect treatment facilities.

c) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than significant impact. As discussed under Response 8c, above, the project site is within the 100-year flood plain of the Whitewater River. However, site disturbance is expected to be minimal, with permanent impervious surfaces confined mainly to the concrete foundations for the wind turbine towers. Therefore, significant changes to onsite drainage patterns are not anticipated. However, drainage issues will be discussed in a hydrology report to be prepared for the project and included in the EIS/EIR.

d) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less than significant impact. Minimal water use will occur during project construction to control dust, but there will be no long term use of water associated with the project. Therefore, impacts on water supplies would be less than significant.

e) Would the project result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider/s existing commitments?

No impact. Existing wastewater disposal services within the project area are provided by the City of Palm Springs. The project does not propose any use which would require treatment of wastewater. Therefore, no impacts to the Palm Springs Wastewater Treatment Plant would occur.

f) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less than significant impact. The project will generate a limited amount of solid waste during construction. It is anticipated that the solid waste generated by project construction would have a less than significant impact on local solid waste facilities. The amount of solid waste generated during operation of the proposed project would not be substantial or interfere with the sufficient permitted capacity of nearby landfills. Impacts would be less than significant.

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g) Would the project comply with federal, state, and local statues and regulations related to solid waste?

No impact. See response 16f. All solid waste will be disposed of at an approved site in compliance with federal, state and county regulations.

17. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Potentially significant impact. Based on the Initial Study/Environmental Checklist, the City has determined that the proposed project may have a number of potentially significant environmental effects. Therefore, the City has determined that an EIR/EIS should be prepared to fully analyze the existing environmental setting, the potential impacts resulting from project implementation, and potential mitigation measures, if necessary, in the following areas: aesthetics/visual resources, biological resources, cultural resources, geology and soils, hazards, hydrology/water quality, land use and noise.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Potentially significant impact. Based on the analysis of all the above questions, it has been determined that the project may contribute incrementally to regional impacts including aesthetics/visual resources, biological resources, cultural resources, geology/soils, noise, and hydrology/water quality. Therefore, in accordance with CEQA and NEPA, the City has determined that an EIR/EIS be prepared that addresses cumulative impacts to all environmental impact categories.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially significant impact. Based on the analysis of all the above questions, some potentially significant adverse effects may occur. Those issues as identified in the preceding analysis will be discussed in the EIR/EIS for the project.

Freedom of Information Act Requests

HUD reserves the right, in its sole and absolute discretion, to disclose information regarding MHLS 2006–1, including, but not limited to, the identity of any successful bidder and its bid price or bid percentage for any pool of loans or individual loan, upon the closing of the sale of all the Mortgage Loans. Even if HUD elects not to publicly disclose any information relating to MHLS 2006–1, HUD will have the right to disclose any information that HUD is obligated to disclose pursuant to the Freedom of Information Act and all regulations promulgated thereunder.

Scope of Notice

This notice applies to MHLS 2006–1 and does not establish HUD's policy for the sale of other mortgage loans.

Dated: May 25, 2006.

Brian D. Montgomery,

Assistant Secretary for Housing-Federal Housing Commissioner.

[FR Doc. E6–8640 Filed 6–2–06; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA 660–06–5101–ER]

Proposed Wind Energy Project

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent to prepare a joint Environmental Impact Statement (EIS) and Environmental Impact Report (EIR).

SUMMARY: In compliance with the National Environmental Policy Act (NEPA) of 1969, 40 CFR 1508.22, and the California Environmental Quality Act (CEQA), notice is herby given that the Bureau of Land Management (BLM) and the City of Palm Springs intend to prepare a joint Environmental Impact Statement (EIS) and Environmental Impact Report (EIR) for a proposed wind energy facility on public and private land in the Coachella Valley. The EIS/EIR will describe and analyze alternatives for a proposed wind energy generating facility on approximately 600 acres in the Whitewater floodplain in the Coachella Valley, Riverside County, California.

DATES: This notice initiates the public scoping process. Comments on issues may be submitted in writing to the address listed below. Additionally, a public meeting will be held to encourage public input. The public meeting will be announced through the local news media, newspapers, and the BLM Web site (*http://www.ca.blm.gov/palmsprings*) at least 15 days prior to the event. Additional opportunities for public participation will be provided upon publication of the draft EIS/EIR.

ADDRESSES: Comments should be sent to Greg Hill, Wind Energy Project, Bureau of Land Management, 690 W. Garnet Ave., P.O. Box 581260, North Palm Springs, CA 92258 or by fax at (760) 251–4899, or by e-mail at *gchill@ca.blm.gov.* Documents pertinent to this proposal, including comments with the names and addresses of respondents, will be available for public review at the BLM Palm Springs-South Coast Field Office located at 690 W. Garnet Avenue, North Palm Springs, California, during regular business hours of 7:45 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the EIS/EIR. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. BLM will not consider anonymous comments. All submissions from organizations and businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT: For further information and/or to have your name added to our mailing list, contact Greg Hill, Wind Energy Project, Bureau of Land Management, Palm Springs-South Coast Field Office, (760) 251–4840, or by e-mail at *gchill@ca.blm.gov.*

SUPPLEMENTARY INFORMATION: Mountain View Power Partners IV, LLC has applied for a right of way on public lands and a conditional use permit on private lands to construct a wind energy generating facility in the Coachella Valley, in Riverside County. The project site is west of Indian Avenue and is within the corporate boundary of the City of Palm Springs and within the planning area for the draft Coachella Valley Multiple Species Habitat Conservation Plan. Operations are expected to last approximately 30 years. The proposed project would install a total of approximately 42 to 50 wind turbines on public and private lands, with a total generating capacity of approximately 49 megawatts. Related structures would include access roads, a 34.5kV powerline and an electrical substation. If approved, the wind energy generating facility on public lands would be authorized in accordance with Title V of the Federal Land Policy and Management Act of 1976 (U.S.C.) and the Federal regulations at 43 CFR 2800. The proposed project would take approximately 7 months to construct.

Dated: January 10, 2006.

Gail Acheson,

Field Manager, Palm Springs-South Coast Field Office.

[FR Doc. E6–8681 Filed 6–2–06; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM–952–06–1420–BJ]

Notice of Filing of Plats of Survey; New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The plats of survey described below are scheduled to be officially filed in the New Mexico State Office, Bureau of Land Management, Santa Fe, New Mexico (30) thirty calendar days from the date of this publication.

SUPPLEMENTARY INFORMATION:

New Mexico Principal Meridian, New Mexico:

The plat representing the dependent resurvey and survey and subdivision of sections in township 24 North, Ranges 9 East, accepted March 30, 2006, for Group 1032 New Mexico.

The supplemental plat, representing the subdivision of sections for Township 20 North, Range 9 & 10 East, accepted March 30, 2006, for New Mexico.

The plat representing the dependent resurvey and subdivision of sections for Township 22 South, Range 2 East, accepted March 29, 2006 for Group 937 New Mexico.

The plat representing the dependent resurvey and survey for Township 16 North, Range 17 East, accepted January 12, 2006 for Group 1030 New Mexico.

The plat representing the dependent resurvey and subdivision of sections for Township 15 North, Range 1 East, accepted December 29, 2005 for Group 1031 New Mexico.

The plat representing the dependent resurvey and subdivision of sections for Township 26 North, Range 6 East, accepted December 12, 2005 for Group 943 New Mexico.

The plat, in two sheets, representing the dependent resurvey and survey for Township 13 North, Range 12 West, accepted May 9, 2006, for Group 1013 New Mexico.

ESTABLISHED IN 1918 AS A PUBLIC AGENCY

COACHELLA VALLEY WATER DISTRICT

POST OFFICE BOX 1058 • COACHELLA, CALIFORNIA 92236 • TELEPHONE (760) 398-2651 • FAX (760) 398-3711

DIRECTORS:

PETER NELSON, PRESIDENT
PATRICIA A. LARSON, VICE PRESIDENT
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JOHN W. McFADDEN
RUSSELL KITAHARA

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GENERAL MANAGER-CHIEF ENGINEER
MARK BEUHLER,
ASST. GENERAL MANAGER
JULIA FERNANDEZ, SECRETARY
DAN PARKS, ASST. TO GENERAL MANAGER
REDWINE AND SHERRILL, ATTORNEYS

May 19, 2006

File: 0122.03

Craig A. Ewing, AICP
Director of Planning Services
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Ewing:

Thank you for affording the Coachella Valley Water District (CVWD) the opportunity to review the Notice of Preparation for the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Mountain View IV Wind Energy Project in Palm Springs.

After reviewing the notice, we submit the following comments:

1. We request that you coordinate with the Coachella Valley Conservation Commission and the Coachella Valley Association of Governments to determine consistency of your project with the Whitewater Conservation Area within the Coachella Valley Multiple-Species Habitat Conservation Plan. The project's "take" from the Whitewater Conservation Area may have an effect on CVWD's future operations in this area.

2. Please coordinate with CVWD throughout project planning and construction to ensure that the project does not affect our groundwater recharge activities in the project vicinity.

If you have any questions, please contact Luke Stowe, Environmental Specialist, extension 2545.

Yours very truly,

Mark L. Johnson
Director of Engineering

LS:md\eng\env\06\may\ewing-mountain view

WARREN D. WILLIAMS
General Manager-Chief Engineer

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
951.788.9965 FAX
www.floodcontrol.co.riverside.ca.us

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

May 10, 2006

Mr. Craig A. Ewing, AICP, Director
City of Palm Springs
Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Ewing:

Re: Notice of Preparation of a Draft Environmental Impact Report for the Mountain View IV Energy Project

This letter is written in response to Notice of Preparation of a Draft Environmental Impact Report for the Mountain View IV Energy Project. The proposed project consists of either 58 Gamesa G52 or 49 MHI 1000A wind turbine generators, pad-mounted electric transformers, ancillary facilities, gravel roads, underground connection lines, and an off-site electrical substation. The project site is located west of Indian Canyon Drive and south of Interstate 10, within the city of Palm Springs, Riverside County.

Please be advised that the project is located outside of the Riverside County Flood Control and Water Conservation District's (District) jurisdictional boundary, therefore, we do not have any comments. For future reference, a District boundary map may be viewed online under "About the District" at http://www.floodcontrol.co.riverside.ca.us/districtsite/default.asp.

Any further questions concerning this letter may be referred to Steve Horn at 951.955.5418 or me at 951.955.1233.

Very truly yours,

TERESA TUNG
Senior Civil Engineer

c: TLMA
Attn: David Mares

SCH:mcv
P8\106482

RECEIVED
MAY 15 2006
PLANNING SERVICES

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

May 11, 2006

Mr. Craig A. Ewing, AICP
Director
City of Palm Springs Planning Services
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Dear Mr. Ewing:

Notice of Preparation of a Draft Environmental Impact Report for
Mountain View IV Wind Energy Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR). Please send the SCAQMD a copy of the Draft EIR upon its completion. In addition, please send with the Draft EIR all appendices or technical documents related to the air quality analysis and electronic versions of all air quality modeling and health risk assessment files.

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. Alternatively, lead agency may wish to consider using the California Air Resources Board (CARB) approved URBEMIS 2002 Model. This model is available on the SCAQMD Website at: www.aqmd.gov/ceqa/models.html.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

Consistent with the SCAQMD's environmental justice enhancement I-4, in October 2003, the SCAQMD Governing Board adopted a methodology for calculating localized air quality impacts and localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality

analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at http://www.aqmd.gov/ceqa/handbook/LST/LST.html.

It is recommended that lead agencies for projects generating or attracting vehicular trips, especially heavy-duty diesel-fueled vehicles, perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA webpages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/prdas/aqguide/aqguide.html. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

The SCAQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,

for Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development and Area Sources

SS:CB:li

RVC060504-01LI
Control Number

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL PLANNING & DEVELOPMENT

May 23, 2006

Craig A. Ewing, AICP
CITY OF PALM SPRINGS
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

RE: NOP – Mountain View IV Wind Energy Project EIR/EIS

Dear Mr. Ewing:

Thank you for the opportunity to review the above referenced Notice of Preparation. Tribal Staff have reviewed the document and have no comments at this time. We would appreciate receiving a copy of the EIR/EIS when it is available.

Very truly yours,

Margaret E. Park, AICP
Director of Planning
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

650 EAST TAHQUITZ CANYON WAY, PALM SPRINGS, CA 92262
T 760/325/3400 F 760/325/6952 AGUACALIENTE.ORG

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7377 Santa Monica Boulevard, West Hollywood, California 90046-6694
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Website: www.LAAudubon.org E-mail: LAAS@LAAudubon.org

July 31, 2006

Mr. Greg Hill
Bureau of Land Management
Palm Springs-South Coast Field Office
PO Box 581260
North Palm Springs, CA 92258

Re: Mountain View IV Wind Energy Project.

Dear Mr. Hill:

The Los Angeles Audubon Society is a 501(c)3 non-profit corporation. The mission of the Los Angeles Audubon Society is to provide educational programs and services that build awareness of the importance of birds and other wildlife and to promote conservation and restoration of natural habitats, primarily in the Los Angeles area. We represent over 3,000 members, and we are one of 50 chapters of Audubon in the state of California (with over 50,000 members) and a chapter of National Audubon Society.

We support wind energy to reduce green house gas emissions and global warming, but only if it is properly sited to minimize the impacts on birds. Accordingly, we advocate rigorous pre-construction studies to assess risk to birds, especially raptors and birds on migration, as well as rigorous post-construction monitoring and mitigation if needed. We emphasize the importance of pre-construction studies because the only proven mitigation for unacceptable avian mortality at wind projects is seasonal shutdowns or removal of the turbines. No monetary compensation or off-site land exchange will mitigate damage to birds and their historic migratory pathways.

We appreciate the opportunity to comment during the scoping process on the above project proposed on BLM administered land and on private land owned by the Coachella Valley Water District.

Migratory birds include waterfowl, shorebirds, raptors, owls and songbirds that exhibit seasonal movements, mainly at night. Migratory songbirds are the small birds including warblers, vireos, cuckoos, flycatchers, orioles, sparrows and blackbirds that exhibit seasonal north and south movements, mainly at night. Migratory birds are protected by the Migratory Bird Treaty Act of 1918 and other international, state and local laws. Migratory songbirds especially are under tremendous pressures from human caused impacts including domestic and feral cats, communication towers, window and building strike, and energy transmission towers. It is critical to minimize the impact of yet each additional pressure. With the expected enormous growth of wind power over the next ten years, the cumulative impacts on populations of migratory birds could have tremendous biological significance if projects are not sited to minimize those impacts.

In 1995, the U.S. Fish & Wildlife Service listed 124 "non game species of management concern" representing an early warning system since possible next step is listing birds as "candidates" under Endangered Species Act, a scenario that everyone wants to avoid. In 2003, FWS published "birds of conservation concern" as mandated by law. The number bird populations in trouble increased from 124 to 131 species. In addition, birds listed under the Endangered Species Act increased to 77 endangered and 15 threatened. The numbers continue to increase. To recap, out of 836 species seen in the United States, around 223 are in trouble according the U.S. Fish & Wildlife Service.[1]

The Coachella Valley and the San Gorgonio Pass are on the Pacific Flyway, a migratory pathway, and are important areas for migratory songbirds. This has been confirmed in two pre-construction avian studies conducted by Southern California Edison in 1981 entitled Nocturnal Avian Migration Assessment of the San Gorgonio Wind Resource Study Area, Spring 1982 and Nocturnal Avian Migration Assessment of the San Gorgonio Wind Resource Study Area, Fall 1982.

[1]], Albert M. Manville, II, Ph.D., Senior Wildlife Biologist, Division of Migratory Bird Management, U.S. Fish & Wildlife Service, 4401 N. Fairfax Dr., MBSP-4107, Arlington, VA 22203, Albert_Manville@fws.gov; 703/358-1963, Meeting to Discuss Guidelines for Reducing Bird and Bat Impacts From Wind Development in California, California Energy Commission Workshop # 1, July 28, 2006, [CEC DMBM Workshop Comments-Public.doc]

These studies report that:

1. An estimated 32 million migratory songbirds per year travel through the Coachella Valley area in Spring[2] and 37 million migratory songbirds in Fall [3]making an estimated total of almost 70 million migratory songbirds that use the Coachella Valley in migration seasons;
2."A distinct portion of all migrants flew below 127 meters (11% in Fall and 9% in Spring)"[4];
3. "most collisions (with wind turbines) will likely occur during the first 2-3 hours of the night (1700-1900 in Spring and 1800 to 2000 in the Fall) when altitudes (of migratory birds) are slightly lower"[5] Birds are taking off and can gain altitude slowly. Even if migratory songbirds are not detected in point counts during the day, they could pass through a turbine area at night as they gain altitude;
4. In the case of one area of the study area, Painted Hill, the study concluded that "wind turbines constructed along ridges may potentially result in the greatest number of collisions."[6];
5. "approximately 256,000 birds per kilometer could potentially come into contact with wind turbine generators each fall in the WRSA"[7] (Wind Resource Study Area).
6. Species migrating through the San Gorgonio pass include Willow Flycatcher and Bell's Vireo[8] . The species are not identified to the subspecies level, so it is unknown if these are the endangered or threatened SW Willow Flycatcher ((*Empidonax traillii extimus*) or Least Bell's Vireo (*Vireo bellii pusillus*) that were observed.

The studies recommend that

-The monitoring program (post construction) should include "extensive ground counts of dead or injured birds around a variety of wind turbine configurations combined with extensive vertical radar – image intensifier observations on the magnitude and altitude of nocturnal migration"[9]

Post-construction studies by McCrary et al were conducted on the site in 1986, but Southern California Edison has not published them nor made them available to the public.

Accordingly, Los Angeles Audubon Society asks that:

1. In addition to pre-construction studies on the use of the project site by endangered or threatened species of birds, and migratory and resident species of raptors including raptors fully protected by federal and state law such as Golden Eagle and Swainson's Hawk, the project site should be studied for risk assessment to species of birds and bats that may pass through the project site at night such as burrowing owl, especially during the peak migratory periods in Spring (April 15 through May 30) and Fall (1 September through October 15) and especially during the hours of peak vulnerability, and to evaluate the cumulative impacts on migratory songbirds. Current U.S. Fish & Wildlife standards for migratory bird studies is a minimum of 3 years due to seasonal variations.
2. Post-construction studies include extensive ground counts combined with vertical radar – image intensifier observations for species of bats and migratory birds, especially during the peak migratory periods.
3. Post-construction ground counts include an extrapolation based on scientific data of impact disintegration of songbirds and throw rate on impact with wind turbines. As of this date, no such study has been conducted.
3. The post-construction "monitoring" data as well as the pre-construction studies and conclusions be freely available to the public to add to the growing data on interactions between birds and wind projects.
4. A Technical Advisory Committee including a representative of San Bernardino Audubon Society or Los Angeles Audubon Society and wildlife agencies be formed to review and comment on avian study, potential mitigation and or adaptive management

Thank you for the opportunity to comment during the scoping period of this project, and we look forward to reviewing and commenting on environmental documents created for this project.

Sincerely,

Garry George
Executive Director
GG:sc

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[2] McCrary et al, Nocturnal Avian Migration Assessment of the San Gorgonio Wind Resource Study Area, Spring 1982, prepared for Southern California Edison, 1982, p. 104
[3] McCrary et al, Nocturnal Avian Migration Assessment of the San Gorgonio Wind Resource Study Area, Fall 1982, prepared for Southern California Edison, 1982, p. 72
[4] Ibid, p. 72 (Fall), p. 96 (Spring)
[5] Ibid, p. 74 (Fall), p. 105 (Spring)
[6] Ibid,p. 97 (Sprng)
[7] Ibid, p. 73 (Fall)
[8] Ibid, p. 116 (Spring)
[9] Ibid, p. 108 (Spring)